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**PATENT**

Attorney Docket No.: A-71364

Attorney File No.: 465840-00509

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

IYER *et al.*

Serial No. 10/693,331

Filing Date: October 24, 2003

For: *Cytomodulating Peptides and  
Methods for Treating Neurological  
Disorders*

Examiner: SCHWADRON, Ronald B.

Art Unit: 1644

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

Dated: March 7, 2006

Signed: *[Signature]*  
Brent Yonehara

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1287 Off. Gaz. Pat. Office 163, 10/19/2004, no copies of U.S. patents and U.S. published applications are enclosed. Copies of foreign patents and non-patent literature, unless indicated otherwise below, are enclosed.

Further, in accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that the references listed on the enclosed substitute for form PTO-1449 were first cited in an International Search Report dated January 6, 2006, for counterpart PCT application PCT/US03/33602. A copy of the International Search Report for the counterpart PCT application is enclosed herewith.

Serial No.: 10/693,331  
Filing Date: October 24, 2003

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

While no fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 465840-00509; Docket No.: A-71364).

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: March 6, 2004  
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Attachments: Form PTO/SB/08A, substitute for Form PTO-1449  
Copy of International Search Report  
Copies of three (3) cited references  
Return Postcard



Substitute PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449A/PTO (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/693,331	
			Filing Date	October 24, 2003	
			First Named Inventor	IYER, Suhasini	
			Art Unit	1644	
			Examiner Name	SCHWADRON, Ronald B.	
Sheet	1	of	1	Attorney Docket Number	A-71364 (465840-00509)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US-2001-0055594 A1	12-27-2001	Olmarker et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1					

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	C1	BOISMENU, R., et al., "Orally administered RDP58 reduces the severity of dextran sodium sulphate induced colitis," <i>Ann. Rheum. Dis.</i> 61(Suppl. 2):ii19-ii24 (Nov. 2002).	
	C2	IYER, S., et al., "Inhibition of tumor necrosis factor mRNA translation by a rationally designed immunomodulatory peptide," <i>J. Biol. Chem.</i> 22(2):17051-17057 (Jun. 2000).	
	C3	ZHUANG, H., et al., "Induction of heme oxygenase 1 by <i>Ginkgo biloba</i> in neuronal cultures and potential implications in ischemia," <i>Cell. Mol. Biol.</i> 48(6):647-653 (Sep. 2002).	

Examiner Signature		Date Considered	
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\*EXAMINER: † These references were previously cited in a related application relied upon for an earlier filing date under 35 USC 120 and no copies are submitted in accordance with 37 CFR 1.98(d). Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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